

## LAW ABOVE UNION LABOR RULES

## PRESIDENT REINSTATES MAN IN PUBLIC PRINTING OFFICE.

He Was Discharged Because He Had Been Expelled From a Labor Union—The President Says No Rules of a Union Can Be Permitted to Override the Law.

WASHINGTON, July 20.—Secretary Cortelyou of the Department of Commerce and Labor made the announcement this afternoon that the President had directed the reinstatement of William A. Miller, who was removed some time ago by Public Printer Palmer from his position of assistant foreman at the Government Printing Office, mostly because of the fact that he had been expelled from Local Union No. 4, International Brotherhood of Bookbinders.

Miller's offense against the labor union consisted in giving information to a Member of Congress showing how the expenses of the great printing establishment might be reduced and a saving to the Government effected. He contended that his action in giving this information was perfectly proper and justifiable, but as it contemplated a possible reduction of the force in the printing office it was objectionable to the International Brotherhood of Bookbinders, which at once expelled him.

Notice was accordingly sent to the Public Printer that William A. Miller was no longer a member in good standing of the labor union. Public Printer Palmer acted accordingly and directed his removal, explaining in his letter to Miller that it was because of the action of the union in expelling him from membership. Miller at once appealed to the President and the Civil Service Commission. President Roosevelt's letters on the subject call attention to the paramount importance of the laws of the United States over the rules of labor organizations and also to the fact that the Anti-Trust Coal Strike Commission decided that no person should be discriminated against because he was or was not a member of a labor organization. Secretary Cortelyou's statement is as follows:

On May 18, 1903, William A. Miller was removed by the Public Printer from his position of assistant foreman at the Government Printing Office. Mr. Miller filed a complaint with the Civil Service Commission, alleging that his removal had been made in violation of the Civil Service law and rules. After an investigation of the complaint and upon July 8, the Civil Service Commission advised the Public Printer of its decision as follows: "Section 2 of civil service rule XII, governing removals, provides that no person shall be removed from a competitive position except for such cause as will promote the efficiency of the public service. The commission does not consider expulsion from a labor union, being the action of a body in no way connected with the public service and not having any relation to the efficiency of the public service. As the only reason given by you for the removal of Mr. Miller is that he was expelled from the Local Union No. 4, International Brotherhood of Bookbinders, we are advised that the commission cannot recognize his removal and must request that he be reinstated to duty in his position."

Mr. Miller's complaint also had been filed with the President, under whose direction it was being investigated by the Secretary of Commerce and Labor, simultaneously with the investigation of the already mentioned commission. As a result of such investigation the following letters, under dates of July 13 and 14, 1902, were written by the President:

**PRESIDENT ORDERS REINSTATEMENT.**  
OSTER BAY, July 13.  
MY DEAR SECRETARY CORTELYOU: In accordance with the letter of the Civil Service Commission of July 6, the Public Printer will reinstate Mr. W. A. Miller in his position. Meanwhile I will withhold any decision of my commission, pending the receipt of the report of the investigation on Miller's second communication, which you notify me has been begun to-day, July 13.

On the face of the papers presented Miller would appear to have been removed in violation of law. There is no objection to the employees of the Government Printing Office constituting themselves into a union if they so desire; but no restriction of conditions of that union can be permitted to override the laws of the United States, which it is my sworn duty to enforce.

Please communicate a copy of the letter to the Public Printer and all information and that of his subordinates. Very truly yours,  
THEODORE ROOSEVELT.

OSTER BAY, July 14.  
MY DEAR MR. CORTELYOU: In connection with the letter of the Civil Service Commission of July 6, I call attention to the judgment and award by the Anti-Trust Coal Strike Commission in their report to me of March 18 last:

"It is adjudged and awarded that no person shall be refused employment or in any way discriminated against on account of membership or non-membership in any labor organization, and that there shall be no discrimination against, or interference with any employee who is a member of such organization by members of such organization."

I heartily approve of this award and judgment by the commission. I appoint you by me, which itself included a member of the labor union. This commission was dealing with labor organizations working for private employers. It is, of course, more elementary duty to require that all the Government departments shall be handled in accordance with the principles thus clearly and fearlessly enunciated.

Please furnish a copy of this letter both to Mr. Palmer and to the Civil Service Commission for their guidance. Sincerely yours,  
THEODORE ROOSEVELT.

Notice has been sent to Mr. Miller that he has been reinstated and may report for duty any day.

## 22,000 MEN FIND WORK.

Rest of the 35,000 Who Have Made Peace With Builders Must Wait a While.

About 22,000 men engaged in a dozen of the building trades went to work yesterday under the arbitration agreement of the Employers' Association. Men were not in such shape that the entire 35,000 included in the agreement could begin, but by tomorrow or Thursday, it is expected, the remainder will find work, as will also members of one or two other unions which are in favor of accepting the agreement.

The plasterers and plasterers' laborers were among those who returned to work yesterday. Most of them went back to their old places. In the other trades at least one-half of the men got their old jobs back.

The board of governors of the employers' association had a long meeting, but did not think it expedient at present to fix a time limit for the general resumption of work. It was announced after the meeting that the Hoisting Engineers' Association had voted to sign the plan of arbitration, but the signing has been deferred until an official of the union who is out of town returns. He is expected here tomorrow.

The action of the union is important because the hoisting engineers, like the housepainters, can delay the work of other trades. The action of the engineers was hastened by the fact that employers were beginning to use gasoline engines for hoisting.

The Laborers' Protective Society, composed of masons' laborers, which made a demand in May for an advance in wages from 35 to 37 cents an hour, to go into effect on July 1 began to exert strikes in a dozen buildings for the enforcement of the demand yesterday morning. The strike was abortive because hardly any masons' laborers were working.

The Board of Building Trades further

## NOT A DIAMOND ON DREIBLATT

## CUSTOMS MEN STRIP HIM AND SEARCH HIS CLOTHES.

Pray Into His Talking Dolls and His Baby's Go-Cart—And a Third Child Was Found—Was a First Cabin Passenger.

On or about the day the Red Star liner Vaterland, which got in yesterday, sailed from Antwerp, the United States Treasury Department received advice from the Dutch diamond centre that it would be well to look out for a first cabin passenger, who sailed under the name M. Dreiblatt, and was supposed to be a New York jeweller, loaded with diamonds. Accordingly, four special Treasury agents and a specially detailed customs officer were waiting for M. Dreiblatt when the Vaterland docked here yesterday.

For a man travelling first class, Mr. Dreiblatt had an unusual collection of luggage. There were no trunks, but he had a goatee-sized valise that had been service; two patent boxes, about three feet long and a foot wide, and two heavy leather bags done up in brown paper. Mr. Dreiblatt, his valise and his bundles were recognized at the river end of the pier, foot of Fulton street, and the customs officer proceeded to overhaul the luggage.

The valise was tackled first. The first article to be examined was a pair of old trousers. Every pocket was gone through and then one of the Treasury agents felt of the home.

Two small balls, that looked as if they were made of leather shoestrings, were found in the bottom of the satchel and these were dissected. The strings were unwound and two tiny leather purses dropped on the pier. The purses were beautifully made and the Treasury agent expected to find nothing less than old-fashioned diamonds inside. But there was never a diamond.

"Maybe you have some more luck next time," remarked Dreiblatt, who had been protesting against the search, but had now said a word up to that time.

Two combination pocketbooks, each with five folds, were unfolded, and one of them was found to contain a pair of old red drawers were unrolled and in the legs of these were found four lace shoestrings. But they did not contain anything more than lace shoestrings. These had been declared they were scheduled as the first find.

The pasted-up boxes were next tackled. One of the boxes was found to contain a golden hair, that could cry and do other patented stunts. The other box contained the brunette sister to the first. The Treasury agents took all sorts of liberties with the dolls, in the expectation of making a great find. But not a diamond was extracted from blond or brunette.

All that was left was Dreiblatt, his valise and the two paper-wrapped parcels. One of the parcels contained a pair of old red drawers, and the other a little pistol horse to go with it. The horse was shaken and turned upside down and the drawers were turned inside out. The pistol horse was found to contain a pair of old red drawers. When nothing was found, Dreiblatt suggested that, if they smashed the toy, the agents might find a sealish ring or two or three jewelry shops in its midst.

The Treasury agents, who were getting pretty well disgusted by this time, regarded the suggested search of the drawers as a pretty good joke. But they did not touch a couple of big, fancy-painted rubber balls on the pier to see if any diamonds would rattle inside.

Finally, Dreiblatt's valise remained. They took him back aboard ship. Then he was stripped and every article of clothing, including the toy, was turned inside out. Some more of nothing was found and the man, after he had paid duty on the lace shoes, was allowed to go about his business.

"I don't know something about all this business. I am a jeweller. Yes, but I don't import jewels in bags for my babies. The jewels are in the drawers. I have these things, except my clothes. I bring home for my grandchildren. Those fellows made me take off my clothes. Do I not get paid for my jewelry?"

Dreiblatt's name is not in the city directory.

## FATAL HOTEL FIRE AT NOME.

SEATTLE, Wash., July 20.—The steamer Meteor, from Nome, brings news of the destruction of the Golden Gate Hotel in that city, causing the death of Mr. and Mrs. R. M. Rays and Sherman D. Gregg, all of Pittsburgh, Pa., rendering 200 people homeless.

R. M. Rays was a director of the German-American Savings Fund Company of Philadelphia and was visiting Nome with his wife. The fire was caused by the janitor lighting a stove with oil.

## WIFE BEATER IN JAIL.

The Man Who Was Tattered and Feathered Sentenced to 100 Days for Drunkenness.

ITHACA, July 20.—Theodore Underwood, the wife-beater of Pennsylvania, near this city, who was tattered and feathered last week by his neighbors, who were terrified by his drunkenness, was sentenced to 100 days in the Tompkins county jail. When his neighbors treated him to a coat of paint and feathers they made him promise to be good or severe penalties would follow. Underwood said that he would follow. This morning he was still on the streets and was taken to the lockup by a policeman, who did not then know his identity. When he was brought before the Recorder the evidence of his still existence were plainly evident. The tar still was on his back and his face. Underwood's wife refused to come to see him, although she was in the city.

## COULDN'T IDENTIFY HIMSELF.

A Man Supposed to Be B. H. Goldsmith Found Wandering About Niagara Falls.

NIAGARA FALLS, N. Y., July 20.—A young man who, judging from papers in his pocket, is Berthold H. Goldsmith of 131 East Sixty-first street, New York, was found wandering aimlessly about the streets here. He had little money in his pocket and appeared to have no knowledge of where he came from or where he was going. He was hungry but did not know how to get food. He is believed to be an umbrella drummer. It is possible that he is a victim of knock-out drops or some drug. The police are caring for him.

## TWO MEN FROM HAVENSTRAW.

One Who Says He's the Postmaster Takes Friend to Alcoholic Ward.

G. W. Burr, who says he is the postmaster of Havenstraw, N. Y., escorted his friend, James B. Carley, of the same town, to the alcoholic ward at Bellevue last night. They gave their addresses as Imperial Hotel, 200 Park row. After seeing his friend put to bed Burr started back for the Bowery.

The register at the Imperial shows that Carley and Burr have been staying there for two weeks.

## HOLD-UP DIDN'T WORK.

Long Islander Keeps His Purse and Grabs One of His Assistants.

Two men held up Edward Klee, a Long Islander, at Thirty-fourth street and Third avenue about 11 o'clock last night and tried to steal his pocketbook containing \$8. Klee grabbed one of the men, who said he was William McGrath of 275 West Eighteenth street, and held him until the other man, Harry McGrath, ran away. The other man escaped.

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## GEN. GRANT SUSTAINED.

## Will Not Be Called to Account for His Order Reflecting on Brackettville, Texas.

WASHINGTON, July 20.—The War Department has decided not to do anything to Brig-Gen. F. D. Grant, commanding the Department of Texas, for issuing a general court-martial order containing severe strictures on conditions at Brackettville, in that State. The order got into the newspapers, and Brackettville people asked the President and Secretary of War to call Gen. Grant to account for its publication.

In answer to these complaints Gen. Grant said that the order did not reflect on Brackettville as a community, but was intended to reflect severely upon the dives near Fort Clark, and he believed that the decent people of Brackettville coincided with the opinion of these resorts expressed in the order.

A complaint to the President against Gen. Grant was referred to the Judge Advocate General of the Army, who has just rendered an opinion that as no penal action would lie for a publication affecting the town of Brackettville, the law provides no legal remedy, as Gen. Grant was the legal authority and physical commander under the 100th Article of War, final, and is not subject to review by superior military authority.

This ends the matter so far as the War Department is concerned.

## NEGLECTED HIS STUDIES.

President Allows Lieut. Baker, Sentenced to Dismissal, to Remain in the Service.

WASHINGTON, July 20.—In the case of First Lieut. Leonard T. Baker of the First Cavalry, convicted of neglecting his studies at the Military Service School at Fort Leavenworth, and sentenced to dismissal, the President has commuted the sentence and ordered that he remain in the service.

Lieut. Baker served in the First Texas Infantry in the war with Spain and in the Philippine war, and also saw service as an enlisted man of the Regular army in 1899. He received a commission in the Regular army in 1901.

It is the desire of the War Department to give the study of theory precedence over practical experience, but it is the purpose of the Department to give the study of theory precedence over practical experience, but it is the purpose of the Department to give the study of theory precedence over practical experience.

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## ANTI-REBATE LAW VIOLATED.

The Chesapeake and Ohio and the New Haven Restrained.

WASHINGTON, July 20.—The first case arising under section of the Anti-Rebate law of the last Congress which gives the Interstate Commerce Commission power to ask for an injunction to restrain a railroad from charging less than its posted freight rates was brought in the United States District Court at Norfolk, Va., last night.

A lawsuit was filed by the Chesapeake and Ohio Railroad, the defendant, for carrying coal, the article against which the Interstate Commerce Commission is protesting, at a greater or less rate than its published tariff rates, and also restraining the New York, New Haven and Hartford Railroad Company from receiving any rebate or advantage therefrom. The hearing for a permanent injunction is to be held on July 31.

The commission's action is based on the original complaint made by W. C. Bullitt, a Philadelphia coal dealer, and the testimony given by him that the Chesapeake and Ohio Railroad, Ohio, showing that a contract was made five years ago by his road to deliver at New Haven 2,000,000 tons of coal at a price of \$1.15 a ton, and that the rate of the Chesapeake and Ohio for coal was \$1.45 a ton. It is this apparent rebate or discrimination of \$1.17 a ton in favor of the New Haven road which is the basis of the complaint.

Admiral Miller Declines Offer of Command of South Atlantic Squadron.

WASHINGTON, July 20.—Rear Admiral Merrill Miller, commanding of the Mare Island Navy Yard, has declined the offer of the command of the South Atlantic squadron on account of ill health.

## BUSINESS NOTICES.

Winston's Sooty Syrup for children teething soothes the gums, reduces inflammation, kills the germ, cures colic, diarrhoea, etc. a bottle.

## MARRIED.

LA TOURETTE—WEEKS. On Saturday, July 18, at St. John's Church, Somerville, N. J., by the Rev. Philip La Tourette, Jr., of Bayonne, N. J., and Lucie Carles Weeks of Elizabeth, N. J.

## DIED.

GRIFPIN.—Suddenly, on July 19, 1903, at his residence, 100 West 10th street, New York, Henry Griffin, 5th av. and 37th st., Tuesday, July 21, at 10 A. M. Pittsburg papers please copy.

## CAPT. PILBURY CHIEF OF STAFF TO REAR ADMIRAL BARKER.

WASHINGTON, July 20.—Capt. John E. Pilbury, a member of the naval general board, has been selected for assignment as chief of staff to Rear Admiral A. S. Barker, commanding-in-chief of the North Atlantic fleet. The duties of this office have been performed heretofore by the commanding officer of the fleet flagship, but the increased size of the fleet and the growing importance of the office require the assignment of an officer who can devote his entire time to staff service without being hampered by the duties of a commander.

## ARMY AND NAVY ORDERS.

WASHINGTON, July 20.—These army orders were issued to-day:

Surgeon George W. Daywalt, from Fort Schuyler to Fort S. Philip, relieving Captain Frederick Haddock, ordered to his home for medical treatment.

First Lieut. Harry A. Eaton, Second Lieut. William W. Eaton, both of the 10th Cavalry, were promoted to the rank of first and second lieutenants, respectively, on July 20, 1903.

Travels of about 100 miles. Capt. William W. Harris, Corps of Engineers, one month.

The following naval orders were issued:

Lieut. A. Davis, from command of the Torpedo Boat, to command of the Torpedo Boat, from command of the Torpedo Boat, to command of the Torpedo Boat.

Lieut. H. K. Benham, from the Olympia to command of the Olympia, to command of the Olympia, to command of the Olympia.

Surgeon C. F. Kindeberger, to the Independence, from the Independence, to the Independence, from the Independence, to the Independence.

Paymaster Clerk J. R. Ray, appointed July 17, 1903, to duty on board the Essex.

Midshipman S. C. Rowan, from the Chicago to the Chicago, from the Chicago, to the Chicago.

## THE ADIRONDACK REGION

is almost wholly exempt from fever, has practically no mosquitoes and you need a blanket over you nearly every night during the summer.

## THE NEW YORK CENTRAL

is the way to reach this delightful region which is filled with health and pleasure.

Gunboat Bancroft Releases Ships Detained by Venezuelan Insurgents.

WASHINGTON, July 20.—Acting Secretary of State Loomis has received a telegram from W. W. Russell, United States Charge d'Affaires at Caracas, reporting that the gunboats of the Orinoco Shipping Company, an American concern, which were detained by Venezuelan insurgents at Ciudad Bolivar, have been released by Lieutenant-Commander Culver of the United States gunboat, Bancroft, and taken down the Orinoco River to San Felix.

The Bancroft was sent to Ciudad Bolivar to effect the release of these vessels. The Venezuelan Government denies that the gunboats at San Felix had seized or detained two other steamships of the Orinoco Shipping Company.

In a telegram confirming the State Department's report, Lieutenant-Commander Culver says that he took women and children of all nationalities away from Ciudad Bolivar on the Bancroft to escape the expected bombardment of the town by the Government forces.

Speaker-to-be Cannon in Washington.

WASHINGTON, July 20.—Speaker-to-be Cannon was in Washington to-day and had a long talk with Secretary Shaw. He was also at the Post Office Department and saw Fourth Assistant Postmaster-General Bristow with regard to appointments in his (Cannon's) district. Mr. Cannon declined to discuss public questions with the reporter. He will go to New York tomorrow.

Rear Admiral Read Chief of Lighthouse Board.

WASHINGTON, July 20.—Rear Admiral J. J. Read, now commanding the Portsmouth, N. H., Navy Yard, has been selected for duty as chairman of the Lighthouse Board at the retirement, next month, of Rear Admiral George C. Remey.

## RESORTS.

TRAVELLERS' INFORMATION. HOTEL and RESORT BOOKS GRATIS. N. Y. OFFICE, 3 Park Place, Tel. 660-0000.

New York, N. Y. near Sea View. The Georgian Hotel, N. Y. near Sea View. The Georgian Hotel, N. Y. near Sea View. The Georgian Hotel, N. Y. near Sea View.

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